

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

MARTIN G. CASTILLO, Jr.,	§
(TDCJ #695172)	§
	§
V.	§ CIVIL ACTION NO. 4:05-CV-218-Y
	§
STATE OF TEXAS	§

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS and,
DISMISSING ACTION UNDER 28 U.S.C. §§ 1915A(b)(1),
and UNDER 28 U.S.C. §§ 1915(e)(2)(B)(i) and (ii)


Before the Court is the petition for writ of mandamus of petitioner Martin G. Castillo, along with the April 28, 2005, findings, conclusions, and recommendation of the United States Magistrate Judge. The magistrate judge gave the parties until May 19, 2005, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case and has reviewed for clear error the proposed findings, conclusions, and recommendation of the United States Magistrate Judge filed on April 28, 2005. The Court concludes that the petition for writ of mandamus should be dismissed with prejudice under 28 U.S.C. §§ 1915 A and 1915(e)(2)(B) for the reasons stated in the magistrate judge's findings and conclusions.

It is therefore ORDERED that the findings, conclusions and recommendation of the magistrate judge should be, and are hereby, ADOPTED.

It is further ORDERED that Petitioner's Petition for Writ of Mandamus be, and is hereby, DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915A(b)(1) and alternatively, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

SIGNED May 27, 2005.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE